

1887-052
Lee Co.

Chancery Causes. Ira W. Taylor vs. Benjamin F. Richmond

CA-Debt

T-Property

To the Honorable John A. Kelly Judge of The Circuit
Court of Lu County Virginia

Annually complaining your orator
Ira Taylor would respectfully show to
your Honor that at the March term 1879 of
your Honorable Court he obtained judgment
against Benjamin F. Richmond for the sum
of \$100.00 with interest thereon from the 1st
day of January 1878 till paid \$7.36 costs
all of which will fully appear by reference
to said judgment a copy of which is filed
herewith marked (A.) This judgment was
on the day of April 1879 duly docketed
upon the judgment lien docket so as to
constitute a lien upon all the lands of the
said Richmond situated in Lu County Va
which will fully appear by reference to the judge-
ment Lien Docket of Lu County a transcript
from which is herewith filed marked (B).

Upon this judgment your orator sued
out of the Clerk's Office of the Circuit Court
of said County a writ of fieri facias which
made returnable to the June Term 1879 of
said Court and was placed for collection
in the hands of Elias Gandy Deputy for S
Ely & L. B. and was by him returned "not
executed no property found" all which fully
appears by reference to said fieri facias with.

Its endorsements a copy of which is herewith
filed as part hereof Marked (C). Your Orator
will now further show your Honor That said
Judgement and every part thereof is still un-
paid due and owing to him. That the same
cannot be made, as by said Sheriff's return
aforesaid fully appears, out of the personal
estate of the said Richmond. but That he has
a life estate in a valuable tract of land sit-
uated on Hallens Creek in said County, being the
tract of land which descended to him from
his father's estate. And he is the owner of
other tracts of land situated near to and
perhaps adjoining the before mentioned
Your Orator is advised That his Judgement
is a lien upon said land as well that owned
in his own right as that in which he has
a life estate. The rents and profits of these
lands will pay in 5 years your Orator's debt
unless there should be other and prior liens
to the one here sought to be enforced.

The premises Considered your Orator is
without remedy at Common law, and properly
relievable only in a Court of equity his prayer
therefore is That Benjamin F. Richmond be
made a party to this bill and required to answer
to several allegations on oath. That upon a
final hearing That said land be decreed to be

ordered for a sufficient length of time to pay
said judgment & costs and the costs of this
suit and for general relief may I pray leave
do.
For said & Duncan for
Plffs.

Cor Clk \$4.73 July

Hyatt 9.75 1886

\$ 60
CA 13.00

\$29.89

Ira Taylor

vs 3 Bill in Chcy.

Benj F. Richmond

Exhibits A.B. 16. enclosure

1880 July. Bill Filed. Spec.
Exhibit & Decree filed.

" Aug. D. N. Conf. set for
hearing by Plff.

" Aug. Decree & Contd.
1881 Mr. Contd. Aug Contd.

1882 Mr. Aug. & Nov. Contd.

1883 Mr. Aug. & Nov. Contd.

1884 Contd 1885 Contd.

1885 Contd 1886 Contd

1887 Mr. & Aug Contd

" Nov. Decree final

Ira Taylor.

Plff

vs.

In shewery

B F Richmond

Def.

This cause came on this day to
be again heard, upon the papers former
ly read and was argued by counsel
and it being admitted that all matters
in this case have been fully settled
except the costs ~~it is therefore~~
judged that the Clerk of this court
tax the costs in said cause and if
the same is not paid within 30 days
from this date then execution may
issue for said costs and the cause
is stricken from the docket.

Ira Taylor

vs $\frac{2}{3}$ share final

B. H. Richmond

Entered page 83,

C.O.P. no. 3.

Enter this share

H. K. M.

Dec 6th 1887

Ira Tayer

Plff

78

3 In Chancery.

Benjamin F. Richmond

Def

This cause came on this 1st day of September 1880 upon the bill of the complainants and exhibits filed therewith and was argued by counsel.

And it appearing to the Court that process has been duly served upon said Defendant for more than 30 days before the first day of this term and that he has failed to appear answer, plead or demur the bill is taken for confessed. On consideration whereof it is adjudged ordered and decreed that the plaintiff recover of the deft. the sum of One hundred & seven dollars and thirty six cents with interest at 6% per annum from 1st day of Jan'y 1878 the Judgment in the bill mentioned and the cost of this suit and it is further adjudged ordered and decreed that unless the Defendant or some one for him shall pay said sum to the Plaintiff within 60 days from the rising of this Court then that ~~W~~ R. Stickley who is appointed a Commissioner for the purpose shall run the land

of the defendant for a sum sufficient to pay
said Judgment interest and costs and
the costs of this suit & costs of returning said
returning shall be on the premises of the thirty
days notice of the time and time of returning
and for said returning the Commissioner
will require paid down in cash a sum
sufficient to pay costs of suit & returning
and for the residue will require bonds
payable in annual installments bearing
interest from date. He will report his
action to Court and this course is continued

Now
no 3
13 F. Richardson
Jayer
Decree

Entered page 147
H. A. Stanley, Jr.

Enter this decree

Sept 16/1880

Virginia:

At a Circuit Court Continued and
held for Lee County at the Court House
thereof on Thursday the 3rd day April 1879.

Ira Saylor ——— Plaintiff } In Covenant
vs
B. F. Richmond ——— Defendant }

This day came the Plaintiff by his Attorney
and the defendant though solemnly called, not
appearing to require a jury to assess the dam-
ages which the Plaintiff has sustained by occa-
sion of the matters in the declaration mentioned,
and to ascertain the time from which interest
on the principal sum shall run. Whereupon the
Court doth assess said damages at \$100.00 &
ascertain the time from which interest shall run
on the same to be the 1st day of Jan'y. 1878.
Therefore it is considered that the Plaintiff
recover against the defendant his damages
assessed as aforesaid with interest thereon
from the said 1st day of Jan'y. 1878 till paid
and the costs, and the said defendant in money

C 4.36
A 2.50
5. 1.50
\$ 7.36)

A Copy
Teste: J. R. Stickley S. C.

Ira Taylor
vs } Copy of
O } Judgement
B. F. Richmond

"A"

1879	Lee Co.	1879	Isa Saylor of Scott Co Va	Pltff	Judgment for \$100.00
April 3 rd	Court	April 10	vs		with interest from
			B. F. Richardson of Lee Co. Va	Def't	Jan'y. 1 st 1878 her paid
					and the Costs 64.36
					2.50 8.50 = 7.36

Transcript from Judgment
 Lien docket.

Sub: F. R. Strickley & Co.

Ira Taylor
vs { Transcript
{ from original
{ Secu Docket
B. F. Richardson

"B"

THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Lee County—Greeting:

We Command You that of the Goods and Chattels of

B. F. Richmond

Lately in your baliwick, you cause to be made \$ *100.00* with legal interest thereon from the *1st* day of *January* 1878 till payment, which *Ira Saylor*

Lately in our *Circuit* Court for Lee county has recovered against *him* by suit for debt also \$ *7.36* which to the said *Ira Saylor*
In our said Court were adjudged for *his* costs in that behalf expended, whereof the said

B. F. Richmond

Convicted, as appears to us of record. And that you have the same before the Judge of our said *Circuit* Court at the Court house on the first Monday in *June* to render to the said *Ira Saylor* of the *debt* and costs as aforesaid.

And have them there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this *10* day of *April* 1879, in the *10* year of the Commonwealth.

James W. Orr Clerk.
A Copy Test: F. R. Stickley D.C.

Ira Taylor

vs { Copy of
{ Fia Fia

J.B. H. Richmond

June Rules 1879.

Not Executed,
no property found

May 23rd 1879

Silas Young DS

for T & Ely SLC

"B"

A Copy.

THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF LEE COUNTY—GREETING,

We Command you to Summon

Benjamin F. Richmond,

To appear at the Clerk's Office of the Circuit Court of Lee county, at the Court-House, on the first Monday in
next, being rule, to answer a bill in Chancery, exhibited in our said Court against

him *July* by

Ira N. Taylor,

And have then there this writ. Witness, JAMES W. ORR, Clerk of our said Court, at the Court-House, this 18 day
of *June* 1870, in the 104th year of the Commonwealth.

J. R. Stickley D., Clerk.

1 m & D

Ira A. Taylor

vs $\frac{1}{2}$ Spa in Chy.

Benj. F. Richmond

July Rules 1880.

Executed by deliver-
ing an Office Copy
of the Within. June
25th 1880.

Forance Miles S.S.,
for T. S. S. S. S.